

larly the objections to such removal; and upon the filing of such petition the said clerk shall issue a summons to the publisher of the notice herein provided for, requiring that the defendant shall appear at his office in the courthouse of such county on a day at least ten days after the service of such summons, and answer or otherwise plead to such petition. Summons to publisher.

SEC. 2. That upon joinder of issue upon the pleadings in such proceeding the said clerk shall set a day and time, not more than twenty days after the joinder of such issue, for hearing of evidence in said cause, and, upon hearing of evidence, if he shall find that such removal will best subserve the interests of the parties to such proceedings, or the public generally, then and in that event he shall make an order or judgment authorizing such removal; and thereupon it shall be lawful for the defendant in such proceeding, its or their officers, agents or employees, to open such grave or graves and remove the contents thereof and the stones or monuments connected therewith according to said notices: *Provided*, that if either party to such proceeding shall be dissatisfied with the order or judgment of such clerk, except thereto and appeal thereon may be had within ten days after rendition thereof to the Superior Court of said county upon the issues of law and fact raised before the clerk in such proceeding, and thereafter the procedure shall be that prescribed by law for the trial of civil issues: *Provided further*, that if no proper petition of protest shall be filed within the time and in the manner prescribed herein it shall be lawful for the publisher of such notices to proceed with such removal. Day for hearing.
Order for removal.
Proviso: Right of appeal.

SEC. 3. That all laws and clauses of laws in conflict with this act are hereby repealed. Proviso: Removal if no protest filed.
Repealing clause.

SEC. 4. That this act shall apply only to Mecklenburg County. Application of act.

SEC. 5. That this act shall be in force from and after its ratification.

Ratified this the 9th day of January, A. D. 1917.

CHAPTER 254

AN ACT TO APPOINT MAJOR T. SMITH, AN ATTORNEY AT LAW, A JUSTICE OF THE PEACE.

The General Assembly of North Carolina do enact:

SECTION 1. That Major T. Smith, an attorney at law, be and he is hereby appointed a justice of the peace in Reidsville Township, Rockingham County, for the term of six years. Appointment.
Term.